GOVERNMENT OF INDIA
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:139
ANSWERED ON:16.11.2016
CREAMY LAYER
Singh Shri Ganesh

Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether the previous Government had set aside the report of first creamy layer expert committee and the Department of Personnel, Public Grievances and Pensions issued an official memorandum No. 36033/5/2004- Est. (SCT) dated 14 October, 2004 clarifying the creamy layer and which carries out two different meanings in its Hindi and English versions and if so, the details thereof;

(b) whether the Government has accepted the mistakes of the said memorandum and if so, the action taken to cancel the said memorandum and the action taken against the officials found responsible therefor;

(c) if not, the reaction of the Government in this regard;

(d) whether the Government has disqualified many candidates of the OBC for IAS and other services despite qualifying the Civil Services Examination, 2015 as a result of the said memorandum and if so, the details in this regard; and

(e) the number of OBC candidates declared disqualified for IAS and other services on the basis of this memorandum from 2004 till date?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office. (DR. JITENDRA SINGH)
(a) to (c): The DOPT Office Memorandum (O.M.) No. 36033/5/2004-Estt(SCT) dated 14 October, 2004 is only a clarification explaining the provisions of DOPT O.M. No. 36012/22/93-Estt.(SCT) dated 8.9.1993. The O.M. of 8.9.1993 was issued by the DOPT based on the recommendations of an Expert Committee constituted by the then Ministry of Welfare.
The earlier unsigned typed copy of the English version of the O.M. dated 14.10.2004, uploaded on the website of this Department, had certain discrepancies in respect of Paragraph 9 vis-a vis its Hindi version uploaded on the Department's website. It was, therefore, felt necessary to rectify that discrepancy. Subsequently, the signed version of the O.M. was traced and uploaded on the Department's website and now it is seen that there is no error in Paragraph 9 of the English version of the O.M. dated 14.10.2004 vis-a vis the Hindi version.
(d) & (e): In case of recommendation of name of a candidate by UPSC for service allocation, the candidate is considered for allocation to one of those services by the Government for which he has indicated his preference as per Civil Services Examination Rules and extant instruction on the subject.
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